in accordance with Petitioner's Exhibit 1.

Petitioner

* Case No. 91-185-A Javad Darbandi

> * * * * * * * * * * FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 36 feet in lieu of the required 50 feet for a proposed addition

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documenta-

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

County this day of January, 1991 that the Petition for Residential Variance to permit a side yard setback of 36 feet in lieu of the required 50 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Zoning Description

at the distance 1,000 ft. West of the

Beginning at a point on the Southeast side of Ivy Hill Rd- which is 20 ft. wide

centerline of Beaver Dam Rd. which 15 50ft.

wide, Thence running 5 42° 15 W 200 At. Thence

thence N47° 45'W 300 ft. to the point of beginning. Also Known as 809 Ivy Hill Rd and located in the 8th Election District.

S 47° 45' E 300 ft. thence N 42°15' E 200 ft.

A M Nesterow in

91-185-A

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

PETITION FOR RESIDENTIAL VARIANCE 91-185-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

TO PERMIT A SIDE YARD SETBACK OF 36ft in her of the required 50ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (indicate hardship or practical difficulty)

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of

this Petition.

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

GROERED by the Zoning Commissioner of Baltimore County, this 16th day of NOV., 19 90, that the subject matter of this petition be posted on the property on or before the 500 day of Dec., 19 70.

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED. IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Countsioner of Baltimore County in Room 106, County Office Building in Touson, Baltimore County, on the _____day of ____

ZONING COMMISSIONER OF BALTIMORE COUNTY

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

January 28, 1991

Mr. Javad Darbandi 809 Ivy Hill Road Cockeysville, Maryland 21030

RE: PETITION FOR RESIDENTIAL VARIANCE SE/S Ivy Hill Road, 1,000' W of Beaver Dam Road (809 Ivy Hill Road) 8th Election District - 3rd Councilmanic District Javad Darbandi - Petitioner Case No. 91-185-A

Dear Mr. Darbandi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Very truly yours, C- M Nestrance ANN M. NASTAROWICZ

> > Deputy Zoning Commissioner for Baltimore County

AMN:bjs cc: People's Counsel

File

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason; (indicate hardship or practical difficulty) 1. Existing septic system on northwest side would make it too costly to build the addition on that side of the house. 2. Existing kitchen would be inconveniently close to master bedroom addition on northwest side of the house. Property is to be advertised and/or posted as prescribed by Zoning Regulations.

> of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing

PETITION FOR RESIDENTIAL VARIANCE

the description and plat attached hereto and made a part hereof, petition for a Variance from Section

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in

TO PERMIT A SIDE YARD SET BACK OF 36 FF

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

in lieu of the required 50ft

Contract Purchaser:

(Type or Print Name)

penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. MAP NWITC Mr. JAVAO DARBANDI

#208

91-185-A

purchaser or representative to be contacted. DEDERED by the Zoning Commissioner of Baltimore County, this 16th day of Nov. 1990, that the subject matter of this

petition be posted on the property on or before the 5th day of Dec. 19 90 Albert Spaces

in Room 108, County Office Building in Touson, Baltimore County, on the _____ day of _____, 19___, at ____ o'clock,

ZONING DEPARTMENT OF BALTIMORE COUNT

Dete of Posting November 26, 19;
Posted for: Residential Variance Date of Posting November 26, 193
Posted for: Residential Variance
Petitioner: Javas Varbandi
Location of property: 515/3 drug Hell Road, 1000 W of CIL OSUALOUNG
Road (809 Dry Still (Road)
Petitioner: Javas Darbandi Location of property 5 = /5 dry Hill Road, 1000' W of c/e Bearer Dam Road (809 dry Hill Road) Location of Signs: In front of 809 dry Hill Road
R
Posted by S. J. arata Date of return: November 30, 1991

Baltimore County
Zoning Commissions
County Office Building
111 West Chesapeake Avenu

91-185-A

PUBLIC HEARING FEES 010 -ZONING VARIANCE (IRL) 080 -POSTING SIGNS / ADVERTISING 1 X TOTAL: \$60.00 LAST NAME OF OWNER: DARBANDI

> 04A04#0088MICHRC BA CO11:38AM11-16-90

- Printed the Desirence

Mr. Javad Darbandi 809 Ivy Hill Road Cockeysville, Maryland 21030

> Re: CASE NUMBER: 91-185-A LOCATION: SE/S Ivy Hill Road, 1000' W c/l Beaver Dam Road 809 Ivy Hill Drive

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

I) Your property will be posted on or before December 5, 1990. The last date (closing date) on which a neighbor may file a formal request for hearing is December 20, 1990. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to b held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

> > Very truly yours,

G. G. Stephens (301) 887-3391 111 West Chesapeake Avenue Towson, MD 21204

December 13, 1990

Mr. Javad Darbandi 809 Ivy Hill Road Cockeysville, MD 21030

RE: Item No. 208, Case No. 91-185-A Petitioner: Javad Darbandi Petition for Residential Variance

Dear Mr. Darbandi:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

> JAMES E. DYER Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

DATE: December 3, 1990

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Edith May Souza, Item No. 166 Earlie E. and Linda R. Towe, Item No. 170

Roland H. and Darlene Farlow, Item No. 171 Kwan Woo Lee, Item No. 173 Harry E. Belsinger, et al., Item No. 175 Gary D. and Kathleen M. Stewart, Item No. 178 Dale A. and Cheryl Poletynski, Item No. 181 Bruce D. and Mary V. Frith, Item No. 182 Eileen C. Misler, Item No. 183 William M. and Constance M. Pitcher, Item No. 185 Key Federal Savings Bank, Item No. 186 Stephen D. and Wendy K. Mooney, Item No. 189 Brian D. and Tulia Briscoe, Item No. 193 Charles Henry and Vickie Jean Wallis, Item No. 195 Sharon Piaskowski, Item No. 196 Gary E. Stahl, Item No. 199 Keith E. and Terri L. Yeager, Item No. 201 Robert E. and Deborah L. Jennings, Item No. 202 Gloria P. Brown, Item No. 203 Robert E. and Karen F. Ege, Item No. 207 Javad Darbandi, Item No. 208 Thomas D. and Jeannette Considine, Item No. 209

In reference to the Petitioners' requests, staff offers no comments.

Helen M. Yingling, Item No. 214

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEMSMUL.TPL/ZAC1



Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

November 28, 1990

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dennis F. Rasmussen

The Bureau of Traffic Engineering has no comments for item numbers, 187, 200, 203, 204, 206, 208, 210, 211, and 212.

> Very truly yours, Traffic Engineer Associate II

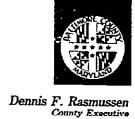
MSF/lab

Baltimore County Fire Department 700 East Joppa Road, Suite 903 Towson, Maryland 21204-5500 (301) 887-4500

Paul H. Reincke

NOVEMBER 28, 1990

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



RE: Property Owner: JAVAO DARBANDI

Location: #809 IVY HILL ROAD

Item No.: 208

Gentlemen:

Zoning Agenda: DECEMBER 4, 1990

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Special 'Inspection Division

JK/KEK



BALTIMORE COUNTY. MARYLAND INTER-OFFICE CORRESPONDENCE

November 30, 1990 J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT:

SE/S Ivy Hill Road, 1000' W of LOCATION: Centerline Beaver Dam Road (#809 Ivy Hill Road) ELECTION DISTRICT: 8th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

COUNCILMANIC DISTRICT:3rd

() PARKING LOCATION () NUMBER PARKING SPACES () BUILDING ACCESS

() RAMPS (degree slope) () CURB CUTS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS ARE

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

() OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

January 21, 1991

Mr. & Mrs. Javad Darbandi 809 Ivy Hill Road Cockeysville, Md. 21030

RE: Zoning Case No. 91-185-A 809 Ivy Hill Road Site Plans

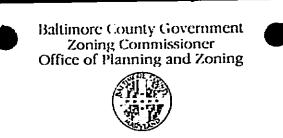
Dear Mr. & Mrs. Darbandi:

I have reviewed the revised petition site plans submitted on January 18, 1991. The plans omitted some required information: Note one copy of your plan on which I added pertinent information. Please examine my plan very carefully and add all of the information; i.e., vicinity map, adjoining house location, "vacant lot", 2 dry wells, septic area, "plat to accompany petition for a zoning variance", complete arrows, etc., and or make any corrections to the other eleven site plans. If these plans are not submitted correctly, I must charge you the "Revised Plans" fee of Thirty-five (\$35.00) dollars.

If you have any questions, please do not hesitate to call me at 887-3391.

Very truly yours,

JJS:jat cc: File



111 West Chesapeake Avenue Towson, MD 21204

January 8, 1991

Mr. Javad Darbandi 809 Ivy Hill Road Cockeysville, Md. 21030

> RE: Zoning Variance #91-185-A 809 Ivy Hill Road

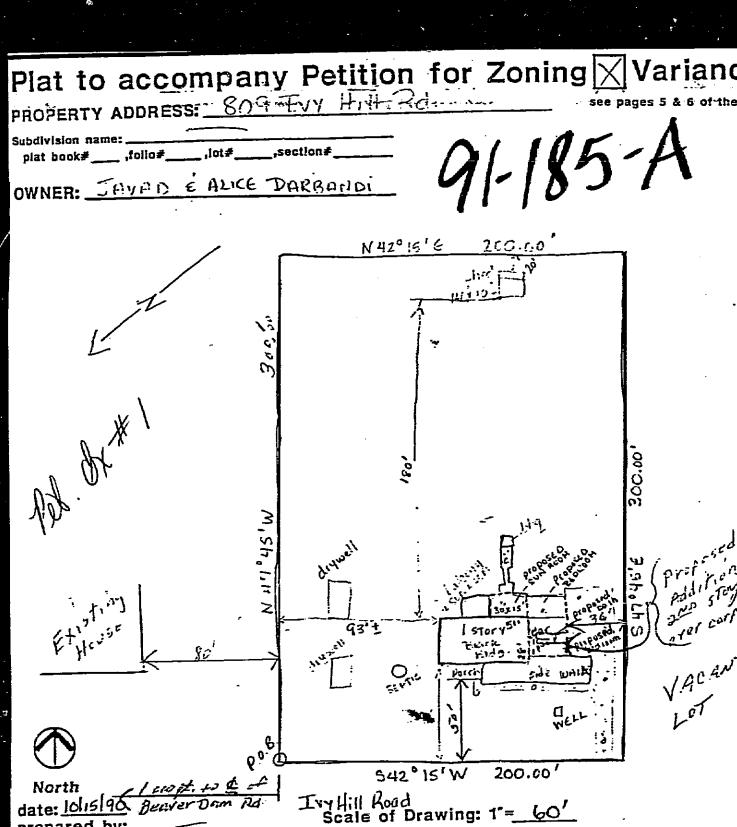
Dear Mr. Darbandi:

Several attempts to contact you by phone were unsuccessful. As I advised you on November 16, 1990, the submitted site plans could be rejected by the Hearing Officer despite my attempts to clarify them. Please re-submit 12 copies of clear plans to this office, Room 113, to my attention, removing all unnecessary lines, sidewalk, etc. and show clear dimensions and setbacks and using all straight lines. You may wish to use a 1"=20' or 30' scale for more clarity. See enclosed copies of your submitted plan and a sample plan.

If you have any questions, please do not hesitate to call me at 887-3391.

John J. Sullivan, Jr. Planner II

JJS/jatcc: File



Plat to accompany Petition for Zoning Variance Special Hearing LOCATION INFORMATION Election District: 08 1"=200" scale map#: NW 17C Lot sizes 1.37 60.000.00 SEWER: 🗌 🛛 WATER: 🔲 🛛 Prior Zoning Hearings: NONE Zoning Office USE ONLY! reviewed by: ITEM #: CASE#: 208

